



AMENDMENT

#13

Amndt B

a7091  
1/21/03

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

5 In re application of: Chen, Zhizang, et al. Art Unit: 2822  
 Examiner: Lewis, Monica

Serial Number: 09/846,127  
 Filed: April 30, 2001  
 Title: ANNEALED TUNNELLING EMITTER  
 10 Date: January 21, 2003

AMENDMENT UNDER 37 CFR § 1.111

TO THE ASSISTANT COMMISSIONER FOR PATENTS:

15

Sir:

In response to the Office Action dated November 1, 2002 please amend and reconsider the above-identified patent application as follows:

20 In the Claims:

Please cancel claims 18-20 and 41-71 without prejudice.

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REMARKS

Claims 18-20 and 41-71 have been cancelled. Claims 1-17 and 21-40 remain in the application. Further examination and reconsideration of the application, as amended, is hereby requested.

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Applicants have cancelled claims 18-20 and 41-71 as being directed to a non-elected invention. Applicants intend to pursue these claims in a divisional application.

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IN THE  
UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Zhizhang Chen et al

Confirmation No.: 5243

Application No.: 09/846127

Examiner: M. Lewis

Filing Date: Apr 30, 2001

Group Art Unit

Title: Annealed Tunneling Emitter (As Amended)

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COMMISSIONER FOR PATENTS  
Washington, D.C. 20231

TRANSMITTAL LETTER FOR RESPONSE/AMENDMENT

Sir:

Transmitted herewith is/are the following in the above-identified application:

(X) Response/Amendment ( ) Petition to extend time to respond  
( ) New fee as calculated below ( ) Supplemental Declaration  
(X) No additional fee (Address envelope to "Box Non-Fee Amendments")  
( ) Other: \_\_\_\_\_ (fee \$ \_\_\_\_\_)

CLAIMS AS AMENDED BY OTHER THAN A SMALL ENTITY						
(1) FOR	(2) CLAIMS REMAINING AFTER AMENDMENT	(3) NUMBER EXTRA	(4) HIGHEST NUMBER PREVIOUSLY PAID FOR	(5) PRESENT EXTRA	(6) RATE	(7) ADDITIONAL FEES
TOTAL CLAIMS		MINUS		= 0	X \$18	\$ 0
INDEP. CLAIMS		MINUS		= 0	X \$84	\$ 0
[ ] FIRST PRESENTATION OF A MULTIPLE DEPENDENT CLAIM						+ \$280 \$ 0
EXTENSION FEE	1ST MONTH \$110.00	2ND MONTH \$410.00	3RD MONTH \$930.00	4TH MONTH \$1450.00		\$ 0
OTHER FEES						\$
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT						\$ 0

Charge \$ 0 to Deposit Account 08-2025. At any time during the pendency of this application, please charge any fees required or credit any overpayment to Deposit Account 08-2025 pursuant to 37 CFR 1.25. Additionally please charge any fees to Deposit Account 08-2025 under 37 CFR 1.16 through 1.21 inclusive, and any other sections in Title 37 of the Code of Federal Regulations that may regulate fees. ~~A duplicate copy of this sheet is enclosed.~~

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231.

Date of Deposit: 1/21/03

Typed Name: Timothy F. Myers

Signature: Timothy F. Myers

Respectfully submitted,

Zhizhang Chen et al

By Timothy F. Myers

Timothy F. Myers

Attorney/Agent for Applicant(s)  
Reg. No. 42,919

Date: 1/21/03

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- Attach as First Page to Transmitted Papers -